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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,471	10/06/2004	Denis Joseph Carel Van Oers	NL 020328	1573
24737	7590	07/31/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			LEE, GUIYOUNG	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/510,471	Applicant(s) VAN OERS ET AL.	
	Examiner Guiyoung Lee	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-15 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9 and 10 is/are rejected.
- 7) ☒ Claim(s) 3 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prelim./Amdt.

1. Receipt is acknowledged of the amendment filed 04/24/2006.
2. Claims 1-15 is pending, and new claims 6-15 have been added.

Response to Arguments

3. Applicant's arguments filed 04/24/2006 have been fully considered but they are not persuasive. Applicant argues that Montet reference fails to teach or suggest the limitation "the cap is surround at a distance d by a screening ring which extends over a height h in the direction of the light emission window". Examiner does not agree with applicant's arguments. As broadly interpreted the claimed limitation, Montet's annular elements 420, 426 and 427 could be a screening ring that surrounds the cap at a distance d, and the annular elements extend over a height h in the direction of the light emission window.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2 and 6-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Montet et al. (US 6,435,704 B1).
4. Re claims 1 and 6: Montet discloses a lighting unit provided with a concave reflector (100) having an axis of symmetry (X in Fig. 2) and with a light emission window bounded by an

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edge of the reflector which surrounds the axis transversely thereto, and an elongate light source (150) which is axially arranged substantially on the axis of symmetry (See 150 and X in Fig. 2) and which is accommodated in a holder (see the holder 152 of light source) opposite the light emission window, and a cup-shaped axially positioned cap (400 in Fig. 14) serving as an optical screening means that partly surrounds the light source for intercepting un-reflected light rays, characterized in that the cap is surrounded at a distance d by a screening ring (see the ring 420 in Fig. 13 having a distance d and a height h) which extends over a height h in the direction of the light emission window.

5. Re claims 2 and 7: Montet discloses the screening ring extends at the side facing the holder up to a plane transverse to the axis of symmetry and defined by the cup-shaped cap (col. 9, lines 10-12).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4-5 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montet as applied to claim 1 above, and further in view of Massen et al. (EP 0336478) cited by applicant.

8. Re claims 4-5 and 9-10: With regard to claimed limitations in claim 5, Montet discloses the light source is a discharge lamp. Montet does not disclose the discharge lamp is a metal

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halide lamp with a ceramic vessel. Massen discloses a discharge lamp having a discharge vessel and a cap. Further, Massen teaches a variety of types of electric lamp including a metal halide lamp (Specification page 2, lines 49-52) may be used in the luminaire. It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute Montet's discharge lamp with a metal halide discharge lamp because of Massen's suggestion. Further, Massen discloses the reflector and light source is indetachably integrated into a lamp (See Fig. 1).

Allowable Subject Matter

9. Claims 3 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: With regard to claimed limitation in claim 3, the prior art of record does not teach the screening ring forms part of a conical surface with a maximum apex angle of 10 degree.

11. Claims 11-15 are allowed.

12. The following is an examiner's statement of reasons for allowance: With regard to independent claim 11, primary reason for allowance is the limitation of "a screening ring forming part of a conical surface". No other prior art discloses a screening ring forming part of a conical surface.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LGY


ALAN CARIASO
PRIMARY EXAMINER